

**A CONFIRMING RESOLUTION designating an  
"Economic Revitalization Area" under I.C. 6-1.1-  
12.1 for property commonly known as 1601 Wall  
Street, Fort Wayne, Indiana 46802 (Essex Group,  
Inc.)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

**Attached hereto as "Exhibit A" as if a part herein; and**

**WHEREAS**, said project will create five full-time, permanent jobs for a total new, annual payroll of \$200,000, with the average new annual job salary being \$40,000 and retain 646 full-time, permanent jobs for a current annual payroll of \$36,789,744, with the average current annual job salary being \$56,950; and

**WHEREAS**, the total estimated project cost is \$2,700,000; and

**WHEREAS**, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution; and

**WHEREAS**, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

**WHEREAS**, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

1           **SECTION 2.** That, the hereinabove described property is hereby declared an  
2 "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the  
3 effective date of this Resolution and shall terminate on December 31, 2005.

4           **SECTION 3.** That, said designation of the hereinabove described property as an  
5 "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal  
6 property for new manufacturing equipment.

7           **SECTION 4.** That, the estimate of the number of individuals that will be employed  
8 or whose employment will be retained and the estimate of the annual salaries of those  
9 individuals and the estimate of the value of the new manufacturing equipment, all contained  
10 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably  
11 expected to result from the proposed described installation of the new manufacturing  
12 equipment.

13           **SECTION 5.** The current year approximate tax rates for taxing units within the  
14 City would be:

15           (a) If the proposed new manufacturing equipment is not installed, the approximate  
16 current year tax rates for this site would be \$9.2453/\$100.

17           (b) If the proposed new manufacturing equipment is installed and no deduction is  
18 granted, the approximate current year tax rate for the site would be  
19 \$9.2453/\$100 (the change would be negligible).

20           (c) If the proposed new manufacturing equipment is installed, and a deduction  
21 percentage of eighty percent (80%) is assumed, the approximate current year  
22 tax rate for the site would be \$9.2453/\$100 (the change would be negligible).

23           **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction  
24 from the assessed value of the new manufacturing equipment shall be for a period of five  
25 years.



1                   **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be  
2 reasonably expected to result from the project and are sufficient to justify the applicable  
3 deductions.

4                   **SECTION 8.** For new manufacturing equipment, a deduction application must  
5 contain a performance report showing the extent to which there has been compliance with  
6 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of  
7 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort  
8 Wayne's Department of Economic Development and must be included with the deduction  
9 application. For subsequent years, the performance report must be updated and submitted  
10 along with the deduction application at the time of filing.

11                   **SECTION 9.** The performance report must contain the following information

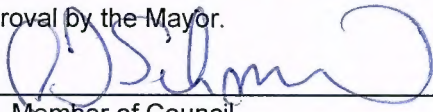
- 12                   (a) The cost and description of real property improvements and/or new  
13                   manufacturing equipment acquired.  
14                   (b) The number of employees hired through the end of the preceding calendar year  
15                   as a result of the deduction.  
16                   (c) The total salaries of the employees hired through the end of the preceding  
17                   calendar year as a result of the deduction.  
18                   (d) The total number of employees employed at the facility receiving the deduction.  
19                   (e) The total assessed value of the real and/or personal property deductions.  
20                   (f) The tax savings resulting from the real and/or personal property being abated.

21                   **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due  
22 to jurisdictions within Allen County, Indiana.

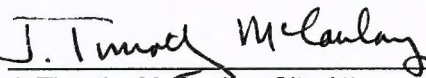
23                   **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that  
24 has received a deduction under section 3 or 4.5 of said chapter may be required to repay the  
25 deduction amount as determined by the county auditor in accordance with section 12 of said  
26 chapter if the property owner ceases operations at the facility for which the deduction was  
27 granted and if the Common Council finds that the property owner obtained the deduction by  
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1 intentionally providing false information concerning the property owner's plans to continue  
2 operation at the facility.

3 **SECTION 12.** That, this Resolution shall be in full force and effect from and after its  
4 passage and any and all necessary approval by the Mayor.

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6 \_\_\_\_\_  
7 Member of Council

8 APPROVED AS TO FORM A LEGALITY

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10 \_\_\_\_\_  
11 J. Timothy McCaulay, City Attorney

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Essex Group, Inc

Property located in the county of Allen, State of Indiana described as follows:

Lots numbered 227 to 252 inclusive, 271 to 296 inclusive, 298 to 325 inclusive, and Lot 327, Lot 342, Northern one-half of Lot 106, and Lot 343, all being in Swinney's Addition to the City of Fort Wayne, according to the plats thereof recorded in Plat Record 2, page 58, Plat Record 2, page 84, and Plat Record 5, page 23.

Together with any portion of vacated alleys or streets adjacent thereto, the title of which accrued to said lots, all as vacated by Declaratory Resolutions Nos., 510, 802, 847, 1328 and 1329.

EXCEPT the portion taken for the widening of Taylor Street by Declaratory Resolution 801 shown in Plat Book 18B, page 141.







Read the first time in full and on motion by Admitt,  
and duly adopted, read the second time by title and referred to the Committee on  
Finance, (and the City Plan Commission for recommendation)  
and Public Hearing to be held after due legal notice, at the Common Council Conference  
Room 128, City-County Building, Fort Wayne, Indiana, on Tuesday  
the 12th day of August, 19 97, at 5:30  
o'clock P. M., E.S.T.

DATED: 7-22-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Admitt,  
and duly adopted, placed on its passage. PASSED  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BENDER	<u>✓</u>			
CRAWFORD				<u>✓</u>
EDMONDS				<u>✓</u>
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY				<u>✓</u>
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED: 8-12-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,  
as (ANNEXATION) \_\_\_\_\_ (APPROPRIATION) \_\_\_\_\_ (GENERAL) \_\_\_\_\_ (SPECIAL) \_\_\_\_\_  
(ZONING) \_\_\_\_\_ ORDINANCE \_\_\_\_\_ RESOLUTION NO. D-52-97  
on the 12th day of August, 19 97

ATTEST: \_\_\_\_\_ SEAL \_\_\_\_\_  
Sandra E. Kennedy Thomas P. Helmke  
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the  
13th day of August, 19 97,  
at the hour of 3:00 o'clock P. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 15th day  
of August, 19 97, at the hour of 3:30  
o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR

DIGEST SHEET

**TITLE OF ORDINANCE: Confirming Resolution**

**DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development**

**SYNOPSIS OF ORDINANCE: This is to confirm the designation of an Economic Revitalization Area for Essex Group, Inc. for personal property improvements in the amount of \$2,700,000. Essex Group, Inc. will purchase new equipment to enhance their competitiveness and retain current employment.**

**EFFECT OF PASSAGE: The effect of passage is the retention of 646 existing jobs, as well as the creation of five new jobs with benefits.**

**EFFECT OF NON-PASSAGE: The effect of non passage is the potential loss of existing jobs, as well as the loss of five new jobs.**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.**

**ASSIGNED TO COMMITTEE (PRESIDENT): John Crawford**



BILL NO. R-97-07-21

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN ~~(ORDINANCE)~~ (RESOLUTION) confirming resolution  
designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1  
for property commonly known as 1601 Wall Street, Fort Wayne, Indiana  
46802 (Essex Group, Inc.)

HAVE HAD SAID ~~(ORDINANCE)~~ (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
~~(ORDINANCE)~~ (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

*D.J. Schmidt*

*Thomas E. Hayhurst*

*Marshall A. Benge*

*Mike Kennedy*

*John E. Doney*

*Glenn Bayne*

*Wendy Hall*

DATED:

*8-12-99*

Sandra E. Kennedy  
City Clerk



## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221

SANDRA E. KENNEDY, CITY CLERK

July 23, 1997

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of July 26, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Bills No. R-97-07-20 and R-97-07-21  
Economic Revitalization Area  
Essex Group, Inc.

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 1



NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL

(RESOLUTIONS NO. R-97-07-20 AND R-97-07-21 )

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 7-22-97,  
DATE  
DESIGNATING PROPERTY AT 1601 Wall Street, Fort Wayne, Indiana  
(ESSEX GROUP, INC.)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED  
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER  
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND  
CONFIRMED OR RESCINDED ON TUESDAY, AUGUST 12, 1997, 5:30 O'CLOCK P.M.,  
DATE, TIME & PLACE

COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET,  
FORT WAYNE, INDIANA

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)  
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD  
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN  
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND  
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"  
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY  
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE  
MEETING.

SANDRA E. KENNEDY  
CITY CLERK

FW COMMON COUNCIL  
(Governmental Unit)  
ALLEN County, Indiana

To: The News-Sentinel  
P.O. Box 100  
Fort Wayne, IN Dr.

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines  
Head -- number of lines  
Body -- number of lines  
Tail -- number of lines  
Total number of lines in notice

COMPUTATION OF CHARGES

46 lines, 1 columns wide equals 46 equivalent lines  
at 364 cents per line \$ 16.74  
Additional charge for notices containing rule or tabular work (50 percent of above amount)  
Charge for extra proofs of publication (\$1.00 for each proof in excess of two)  
TOTAL AMOUNT OF CLAIM \$ 16.74

DATA FOR COMPUTING COST

Width of single column 12.5 ems  
Number of insertions 1  
Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.  
Date: JULY 26, 19 97 Title: Julie L Smith Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana )  
) ss:  
Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time, the dates of publication being as follows:

7-26-97

Subscribed and sworn to before me this 26th day of JULY, 19 97.

Mary L Schneider  
Notary Public  
MARY L SCHNEIDER  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 2001

My commission expires:

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL  
(RESOLUTIONS NO. R-97-07-20 AND R-97-07-21)  
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AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.  
COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND CONFIRMED OR RESCINDED ON TUESDAY, AUGUST 12, 1997, 5:30 O'CLOCK P.M., COMMON COUNCIL CONFERENCE ROOM 128, CITY-COUNTY BUILDING, ONE MAIN STREET, FORT WAYNE, INDIANA  
IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1) YEAR AFTER CONFIRMATION.  
ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD AT THE PUBLIC HEARING.  
"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATIONS" SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219) 427-1120, TTY (219) 427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE MEETING.  
SANDRA E. KENNEDY  
CITY CLERK  
#476256



FW COMMON COUNCIL

(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

ALLEN

County, Indiana

## PUBLISHER'S CLAIM

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at .364 cents per line

\$ 16.74

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 16.74

## DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: JULY 26, 19 97

Title:

Clerk

## PUBLISHER'S AFFIDAVIT

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COMMON COUNCIL

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SANDRA E. KENNEDY  
CITY CLERK  
#476256

State of Indiana )

) ss:

Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time 7-26-97, the dates of publication being as follows:

7-26-97Subscribed and sworn to before me this 26th day of JULY, 19 97.

Notary Public

MARY L SCHNEIDER

NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY

My commission expires:

MY COMMISSION EXP JUNE 14, 2001